



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

March 25, 2004

In re the application of:

Roy P. Johnson et al.

Docket No. 175 P 009

Filed: November 13, 2003

Art Unit: 3746

Ser. No.: 10/713,346

Examiner: N/A

For: System and method for protecting equipment
from damage due to low or rapidly changing
temperatures

Confirmation No. 9844

PETITION FOR CORRECTED FILING RECEIPT

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant respectfully requests the issuance of a corrected Filing Receipt containing Assignment Information for Publication.

Applicant included an Application Data Sheet with the filing packet that indicated International Business Machines Corporation as the assignee. A copy of the Application Data Sheet is included herewith as **Exhibit A**. The Application Transmittal filed in conjunction with the present application noted that an Application Data Sheet was included. *See Exhibit B*. An assignment was included with the application and properly noted on the Application Transmittal. *Id.*

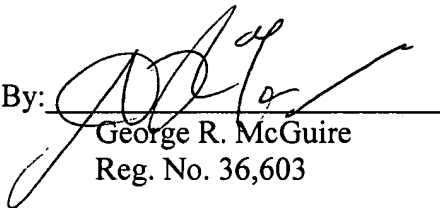
• • • Appl. No. 10/713,346
Petition dated March 25, 2004
Reply to Filing Receipt mailed February 13, 2004

The Filing Receipt mailed on February 13, 2004 lacked the data line entitled “Assignment Information for Publication” indicating assignment to International Business Machines Corporation. According to 37 C.F.R. 1.215, “[a]ssignee information may not be included on the patent application publication unless this information is provided on the application transmittal sheet *or application data sheet included with the application on filing.*” As Petitioner duly noted assignment information on both the Application Transmittal and Application Data Sheet, Applicant respectfully requests the issuance of a corrected Filing Receipt including the data line Assignment Information for Publication Purposes indicating assignment to International Business Machines Corporation.

Authorization is hereby given authorization to charge any fees due hereunder to Deposit Account No. 50-1546. If a telephone conference with Applicant’s attorney would expedite handling of this Petition, please contact the undersigned at (315) 218-8515.

Respectfully submitted,

Dated: March 25, 2004

By: 
George R. McGuire
Reg. No. 36,603

BOND, SCHOENECK & KING, PLLC
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315-218-8515

APPLICATION
FOR
UNITED STATES LETTER PATENT

Applicant's Name : Roy P. Johnson
Alan J. Orndorff

Title: System and Method for Protecting Equipment
from Damage Due to Low or Rapidly Changing
Temperatures

Docket No. END920030064US1

INTERNATIONAL BUSINESS MACHINES CORPORATION

I hereby certify that on the date shown below, this correspondence is being deposited with the United States Postal Service in an envelope addressed to Mail Stop Patent Application; Commissioner for Patents; PO Box 1450; Alexandria VA 22313-1450 as "Express Mail Post Office to Addressee."

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Date

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UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 CFR 1.53(b))	Attorney Docket No.	END920030064US1
	First Inventor	Roy P. Johnson, et al.
	Title	System and Method, etc.
	Express Mail Label No.	ER 292714862 US

APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.	ADDRESS TO: Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing)</p> <p>2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages <u>18</u>] (preferred arrangement set forth below)</p> <ul style="list-style-type: none">- Descriptive title of the invention- Cross Reference to Related Applications- Statement Regarding Fed sponsored R & D- Reference to sequence listing, a table, or a computer program listing appendix- Background of the invention- Brief Summary of the invention- Brief Description of the Drawings (if filed)- Detailed Description- Claim(s)- Abstract of the Disclosure <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <u>2</u>]</p> <p>5. Oath or Declaration [Total Sheets <u>3</u>]</p> <p>a. <input checked="" type="checkbox"/> Newly executed (original or copy)</p> <p>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed)</p> <p>i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p> <p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)</p> <p>a. <input type="checkbox"/> Computer Readable Form (CRF)</p> <p>b. Specification Sequence Listing on:</p> <p>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</p> <p>ii. <input type="checkbox"/> Paper</p> <p>c. <input type="checkbox"/> Statements verifying identity of above copies</p>	
ACCOMPANYING APPLICATION PARTS	
<p>9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s))</p> <p>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee) <input type="checkbox"/> Power of Attorney</p> <p>11. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Citations (Non-US)</p> <p>13. <input type="checkbox"/> Preliminary Amendment</p> <p>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</p> <p>16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.</p> <p>17. <input type="checkbox"/> Other:</p>	

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:


Prior application information:

Examiner

Art Unit:

For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS☐ Customer Number: OR ☐ Correspondence address below

Name	George R. McGuire, Bond Schoeneck & King, PLLC						
Address	One Lincoln Center						
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Country	USA	Telephone	315-218-8515	Fax			
Name (Print/Type)	William H. Steinberg			Registration No. (Attorney/Agent)	28,540		
Signature				Date	11/12/03		

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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